

Docket No.: **1232-5303**RECEIVED
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): HATAKEYAMA et al.

Serial No.: 10/785,288

Group Art Unit: 2851

Filed: February 23, 2004

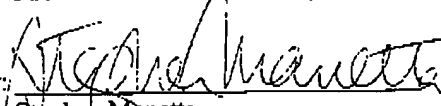
Examiner: Peter B. KIM

For: **CATOPTRIC PROJECTION OPTICAL SYSTEM AND EXPOSURE
APPARATUS HAVING THE SAME****CERTIFICATE OF FACSIMILE TRANSMISSION**Mail Stop Amendment
COMMISSIONER for PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that the following items:

1. Response To Restriction Requirement (2 pp.).

is/are being transmitted pursuant to 37 C.F.R. §1.8 by facsimile on the date indicated below, to:

Examiner Peter B. KIM
Group Art Unit 2851
Tel. No.: (751) 272-7463
Fax No.: (571) 273-8300Transmission Total: 3 pages (including this cover sheet).Date: October 6, 2005Respectfully submitted,
MORGAN & FINNEGAN, LLPBy: 
Stephen Manetta
Reg. No. 40,426Mailing Address:
MORGAN & FINNEGAN, LLP
3 World Financial Center
New York, New York 10281-2101
(212) 415-8700 (Telephone)
(212) 415-8701 (Telecopier)

PATENT**OCT 06 2005****Docket No.: 1232-5303****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** HATAKEYAMA et al.**Serial No.:** 10/785,288**Group Art Unit:** 2851**Filed:** February 23, 2004**Examiner:** Peter B. KIM**For:** **CATOPTRIC PROJECTION OPTICAL SYSTEM AND EXPOSURE
APPARATUS HAVING THE SAME**Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Official Action dated September 6, 2005, requiring a species election, Applicants respectfully submit the following response.

I. The Examiner's Election Requirement

The Examiner has determined that this application contains claims directed to the following patentably distinct species of the claimed invention:

Species I- A catoptric projection optical system comprising six mirrors where the light upon the third mirror intersect with the light incident upon the fifth mirror; and

Species II- A catoptric projection optical system wherein $LMS/L2 > 1$ and $LW/L12 > 1$.

Accordingly, the Examiner has required Applicants to elect a single disclosed species for prosecution, and to identify all claims readable thereon. Additionally, the Examiner notes that no claims are currently deemed to be generic.

II. Applicant's Election of Species

Applicants respectfully disagree with the claim characterizations and identification of species in the imposed requirement for election.

Nonetheless, Applicants elect to pursue prosecution of Species I identified by the Examiner and respectfully submits that claims 1, 3-10, 27 and 27 read on this elected species.

PATENT
Serial No. 10/785,288

-2-

Docket No. 1232-5303**II. Applicants' Traversal**

This election is made with traverse. Applicants respectfully submit that (1) all species of claims are properly presented in the same application; (2) undue diverse searching should not be required; and (3) all claims should be examined together. For the foregoing reasons, it is respectfully submitted that the election requirement should be withdrawn and an action on the merits of all the originally presented claims is respectfully solicited.

If any issues exist, or if the Examiner has any suggestions for expediting allowance of the application, the Examiner is invited to contact the undersigned at the telephone number below.

AUTHORIZATION

No fees are believed due in connection with this response and this paper is believed to be timely filed. However, should an extension of time be necessary, such extension is hereby petitioned. The Commissioner is authorized to charge any fees or credit any overpayments which may be required for this paper to Deposit Account Number 13-4500, Order No. 1232-5303.

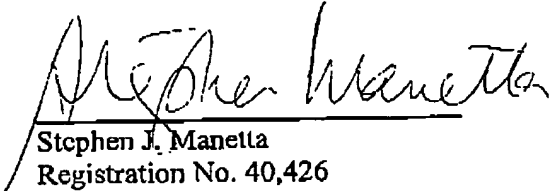
In the event that a telephone conference would facilitate prosecution, the Examiner is invited to contact the undersigned at the number provided.

An early and favorable decision on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: October 6, 2005

By:


Stephen J. Manetta
Registration No. 40,426

Mailing address:
MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, New York 10281-2101
(212) 415-8700 (Telephone)
(212) 415-8701 (Facsimile)